



DEPARTMENT OF HEALTH AND HUMAN SERVICES

HFI-35
5054
Food and Drug Administration
Cincinnati District Office
6751 Steger Drive
Cincinnati, OH 45237-3097
Telephone: (513) 679-2700
FAX: (513) 679-2772

WARNING LETTER

Cin WL -5954-0
January 10, 2001

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert J. Rodgers, D.O.
Lead Interpreting Physician
Warren Radiologists, Inc.
650 Youngstown Warren Rd., Suite C
Niles, OH 44446

Facility I.D.#: 214882

Dear Dr. Rodgers:

A representative from the State of Ohio acting on behalf of the Food and Drug Administration (FDA) inspected your facility on January 4, 2001. This inspection revealed a serious regulatory problem involving the mammography at your facility.

Under a United States Federal law, the Mammography Quality Standards Act (MQSA) of 1992, your facility must meet specific requirements for mammography. These requirements help protect the health of women by assuring that a facility can perform quality mammography. The inspection revealed the following Level 1 finding at your facility:

Medical Records and Mammography Reports - 21 CFR 900.12(c)(2)

Your standard operating procedures are inadequate for your facility in communicating to the patients the results of their mammograms. Your standard operating procedures fail to demonstrate that all of the mammography results will be communicated to each of the patients with a lay summary report within 30 days of the mammography examinations.

Because this condition may be symptomatic of serious underlying problems that could compromise the quality of mammography at your facility, it represents a violation of the law which may result in FDA taking regulatory action without further notice to you. These actions include, but are not limited to, placing your facility under a Directed Plan of Correction, charging your facility for the cost of on-site monitoring, assessing civil money penalties up to \$10,000 for each failure to substantially comply with, or each day of failure to substantially comply with, MQSA standards, suspension or revocation of your facility's FDA certificate, or obtaining a court injunction against performing further mammography.

In addition, your response should address the Level 2 finding that is listed in the inspection report that was provided to you. This finding is:

Level 2 Finding:

Surveys – 21 CFR 900.12 (e)(9) and as required by 21 CFR 900.12 (e)(1)-(7)

The medical physicist's annual survey for the mammography unit is incomplete for reason the following evaluations were not performed:

- a. Artifact evaluation
- b. Numerical results were not provided for the beam quality [half value layer (HVL)] measurements.

You must act on these matters immediately. Please explain the following elements to this office in writing within fifteen (15) working days from the date you received this letter:

- The specific steps you have taken to correct the violations noted in this letter; and
- Each step your facility is taking **to prevent the recurrence of similar violations.**

Please submit sample records that demonstrate proper record keeping procedures, if the findings relate to quality control or other records (Note: Patient names or identification should be deleted from any copies submitted).

Please submit your response to:

Mr. R. Terry Bolen
MQSA Compliance Officer
Food & Drug Administration
6751 Steger Drive
Cincinnati, OH 45237-3097
FAX: 513-679-2772

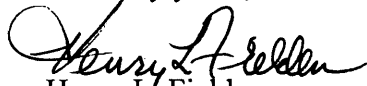
Also, please send a copy to the State radiation control office:

Ms. Terri Eckert
Ohio Department of Health
Radiologic Technology Section
161 South High St., Suite 400
Akron, OH 44308-1616

Finally, you should understand that there are many FDA requirements pertaining to mammography. This letter pertains only to findings of your inspection and does not necessarily address other obligations you have under the law. You may obtain general information about all of FDA's requirements for mammography facilities by contacting the Mammography Quality Assurance Program, Food and Drug Administration, P.O. Box 6057, Columbia, MD 21045-6057 (1-800-838-7715) or via Internet at <http://www.fda.gov/cdrh/mammography>.

If you have more specific questions about mammography facility requirements, or about the content of this letter, please feel free to contact Mr. R. Terry Bolen at 513-679-2700, extension 138

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Henry L. Fielden".

Henry L. Fielden
District Director
Cincinnati District Office

c.
OH/TEckert

Priscilla F. Butler, M.S.
Director, Breast Imaging Accreditation Program
American College of Radiology
1891 Preston White Dr.
Reston, VA 20191